

***Effective 3/29/2014***

**67-16-5.6 Offering donation, payment, or service to government agency in exchange for approval -- When prohibited.**

- (1) Except as provided in Subsection (3), it is an offense for any person to donate or offer to donate personal property, money, or services to any agency on the condition that the agency or any other agency approve any application or request for a permit, approval, or other authorization.
- (2)
  - (a) Subsection (1) does not apply to any donation of property, funds, or services to an agency that is:
    - (i) otherwise expressly required by statute, ordinance, or agency rule;
    - (ii) mutually agreed to between the applicant and the entity issuing the permit, approval, or other authorization;
    - (iii) a condition of a consent decree, settlement agreement, or other binding instrument entered into to resolve, in whole or in part, an actual or threatened agency enforcement action; or
    - (iv) made without condition.
  - (b) The person making the donation of property, funds, or services shall include with the donation a signed written statement certifying that the donation is made without condition.
  - (c) The agency receiving the donation shall place the signed written statement in its files.
- (3) This section does not apply to a person who engages in conduct that constitutes a violation of this section to the extent that the person is chargeable, for the same conduct, under Section 63G-6a-2404 or Section 76-8-105.

Amended by Chapter 196, 2014 General Session